

GOVERNMENT OF THE DISTRICT OF COLUMBIA
D.C. Department of Human Resources

District Personnel Manual Issuance System

This instruction should be filed
behind the divider for Part III of
DPM Chapter(s) 3

DPM Instruction No. 3-8

SUBJECT: Applying Residency Preference for Employment

Date: May 27, 2008

1. Purpose

The purpose of this District Personnel Manual (DPM) instruction is to provide information on the application of residency preference in the competitive recruitment process.

2. Applicability and Authority

- a. The residency preference provisions apply to competitive appointments, including competitive promotions, to the:
 - (1) Career Service;
 - (2) Management Supervisory Service;
 - (3) Legal Service (line attorneys positions only); and
 - (4) Excepted Service (attorneys positions only).
- b. The statutory (legal) authority for the residency preference system is contained in:
 - (1) D.C. Official Code § 1-608.01 (e) – Career Service;
 - (2) D.C. Official Code § 1-609.59 – Management Supervisory Service;
 - (3) D.C. Official Code § 1-608.59 (a) – Legal Service line attorneys; and
 - (5) D.C. Official Code § 1-609.06 (f) – Excepted Service attorneys.
- c. The residency preference provisions in D.C. Official Code § 1-608.01 (e) were amended by D.C. Law 17-108, the Jobs for D.C. Residents Amendment Act of 2007 (Act), effective February 6, 2008 (D.C. Act 17-172; 54 DCR 10993, November 16, 2007). The main provisions of the Act are:
 - (1) A bona fide District resident may be awarded a residency preference of **10 points** (increased from 5 points) at the time of application for competitive employment, unless the person declines the preference points;

Note: DPM Instructions that are strictly procedural in nature have direct applicability only to agencies and employees under the personnel authority of the Mayor. Other personnel authorities or independent agencies may adopt any or all of these procedures or guidance materials for agencies and employee under their respective jurisdictions. [See DPM Chapter 2, Part II, Subpart 1, §1.3]

Inquiries: Policy and Planning Administration, DCHR (202) 442-9644

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- (2) A **ranking system** based on a scale of 100 points shall be used for all competitive employment decisions;
 - (3) The 10 preference points are **in addition to** any points awarded on the 100-point scale;
 - (4) A person who is awarded the 10-point residency preference and is selected for the position must agree in writing at the time of appointment to maintain bona fide District residency for a period of **7 consecutive years** from the effective date of appointment (increased from 5 years); and
 - (5) A person who is awarded the 10-point residency preference and is selected for the position shall submit no less than **8 proofs of bona fide District residency** (increased from 4 proofs) to the personnel authority.
- d. The **regulatory authority** for residency preference is Chapter 3 of the D.C. personnel regulations, Residency.

3. Form DC-2000 RP, "Residency Preference for Employment"

- a. *Form DC-2000 RP, Residency Preference for Employment* (Rev. 3/08) (copy attached), is to be completed and submitted with the employment application of each individual who applies for **competitive appointment**, including **competitive promotion**, for a position in the Career Service, Legal Service (line attorneys positions only), Excepted Service (attorney positions only), and Management Supervisory Service.
- b. Except as provided in section 4 below, the preference will be applied ONLY to qualified applicants who check section I, IV, or V on the *Form DC 2000RP*.
- c. Any residency preference given shall be **in addition to, not instead of**, qualifications for the position.

5. Determination of Entitlement to Residency Preference

- a. Preference is applied ONLY to a qualified applicant who completes the *Form DC-2000RP* indicating that he or she is:
 - (1) A bona fide resident of the District of Columbia at the time of application who claims a preference; or
 - (2) A current employee with an entitlement (right) to the preference.
- b. Entitlement (right) to preference:
 - (1) The following employees have an entitlement (right) to residency preference when competing for a position:
 - (a) **Pre-January 1, 1980 employees** who have not had a break in service since that date; and
 - (b) **Former St. Elizabeths Hospital employees** who accepted employment with the District government without a break in service effective October 1, 1987 and who

have not had a break in service since that date, and only when at least 1 applicant for the position claims a preference.

- (2) To minimize the possibility of the loss of the entitlement to preference, the human resources (HR) staff person rating/ranking the applicants is responsible for determining whether an applicant who did not fill out a claim form could be either a pre-January 1, 1980 employee or a St. Elizabeths employee as described in section 4 (b)(1) and (2) above.
- (3) Verification of entitlement to preference is to be accomplished by reviewing the applicant's official personnel folder (OPF), or requesting verification of the entitlement from the D.C. Department of Human Resources (DCHR) or other personnel authority, as applicable.
- (4) An employee entitled to preference who does not submit a *Form DC-2000RP* when applying for a position will be afforded preference as specified herein upon verification of entitlement through a review of his or her OPF.

5. Factors to Consider (Reminders) when Applying Residency Preference for Employment

The following should be kept in mind when applying residency preference for employment:

√ <u>RANKING SYSTEM:</u> A ranking system based on <u>a scale of 100 points</u> shall be used for all competitive employment decisions.
√ <u>CATEGORICAL RANKING SYSTEM:</u> Based on the 100-point scale, the categorical rankings are as follows: <ul style="list-style-type: none"> • 90 to 100 Points – <i>Highly Qualified</i> or “<i>HQ</i>;” • 80 to 89 Points – <i>Well Qualified</i> or “<i>WQ</i>;” and • 70 to 79 Points – <i>Qualified</i> or “<i>Q</i>.”
√ <u>APPLICATION OF THE 10-POINT PREFERENCE:</u> The 10-points are <u>in addition</u> to any points awarded on the 100-point scale.
√ <u>IMPACT OF THE 10-POINT PREFERENCE ON THE CATEGORICAL RANKING</u> Because the preference <u>*shall be in addition to, and not instead of, the qualifications established for the position</u> , the addition of the 10-point preference <u>shall not</u> impact a candidate's categorical ranking. That means that, for example, the application of the 10-point preference to a candidate whose categorical ranking on the <u>100-point scale</u> was determined to be 87 (<i>WQ</i>) <u>shall not boost</u> the candidate's ranking to 97 (<i>HQ</i>). <i>*See section 203 (d) of the Act</i>
√ <u>SELECTION CERTIFICATES:</u> (1) Add the acronym “ <i>RP</i> ” after the name of a residency-preference (RP) candidate, and the acronym “ <i>NRP</i> ” after the name of a non-residency-preference candidate; and (2) only 1 category of candidates is to be referred at a time (either <i>HQ</i> , <i>WQ</i> , or <i>Q</i>) (there may be some exceptions when the recruitment activity is for more than 1 position).

6. Examples of the Application of Residency Preference in the Competitive Recruitment Process

Example 1:

Four (4) individuals applied for the Management Supervisory Service (MSS) position of Chief Operating Officer, MS-15. Two (2) applicants claimed residency preference (RP). The following categorical rankings were determined:

Applicant	Categorical Ranking Score/ Qualifications Analysis (Based on 100-Point Scale)	Residency Preference	Final Categorical Ranking (for Referral to Selecting Official)* (After Application of RP)
Applicant A	<i>HQ</i> (98)	Yes	<i>HQ</i>
Applicant B	<i>WQ</i> (86)	Yes	<i>WQ</i> **
Applicant C	<i>WQ</i> (87)	No (Non-Resident)	<i>WQ</i>
Applicant D	<i>Q</i> (72)	No (Non-Resident)	<i>Q</i>

*Categorical ranking shown on selection certificate.

**While the application of the 10-point preference ($86 (WQ) + 10 (RP) = 96 (HQ)$) would boost Applicant B's categorical ranking from *WQ* to *HQ*, section 203 (d) of the Act provides that the application of the preference is in addition to and not instead of the candidates' qualifications for the position. For that reason, and because there is another candidate (Applicant A) with a higher categorical score, Applicant B's name will not be referred to the selecting official for consideration.

Example 2:

Three (3) individuals applied for the Career Service position of Management Analyst, CS-14. There are two (2) vacant positions being filled. One (1) applicant claimed RP. The following categorical rankings were determined:

Applicant	Categorical Ranking Score/ Qualifications Analysis (Based on 100-Point Scale)	Residency Preference	Final Categorical Ranking (for Referral to Selecting Official)* (After Application of RP)
Applicant A	<i>Q</i> (75)	No (District resident; chose not to claim RP)	<i>Q</i>
Applicant B	<i>WQ</i> (85)	Yes	<i>WQ</i> **
Applicant C	<i>HQ</i> (92)	No (Non-Resident)	<i>HQ</i>

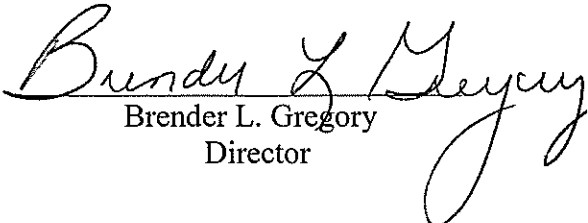
*Categorical ranking shown on selection certificate.

****While the application of the 10-point preference (85 (WQ) + 10 (RP) = 95 (HQ)) would boost Applicant B's categorical ranking from WQ to HQ, because section 203 (d) of the Act provides that the application of the RP is in addition to and not instead of the candidates' qualifications for the position, Applicant B's categorical ranking shall remain as WQ after the application of the 10-point preference.**

Applicant C, a **non-RP candidate** with the highest categorical ranking score (HQ) is to be referred to management for consideration AHEAD of RP-Candidate Applicant B. However, because the recruitment is for two (2) positions, the name of Applicant B (WQ) will also be referred to the selecting official for consideration.

7. **Waivers of Residency Preference; Justifications for Non-Selection**

- a. Generally, if the highest available categorical ranking candidates referred to management for selection includes a RP candidate and no selection is made, the selection certificate is to be returned to the HR representative(s) for cancellation.
- b. While there are **no provisions that allow for a "waiver of the residency preference" when RP candidates listed on a selection certificate are not selected**, in cases of "*suitability*," or when there are "*qualification issues*," the selecting (hiring) official must submit a written request for a waiver to the that includes the basis (explanation/justification) for the non-selection of the RP candidate, and the basis for the request for a waiver.
 - (1) The phrase "*waiver of the residency requirement*" means allowing the selection of a non-RP candidate over a RP-candidate referred to management for consideration.
 - (2) The term "*suitability*" refers to the quality or state of being acceptable for District government employment with respect to the character, reputation, and fitness of the person under consideration.
 - (3) The phrase "*qualification issues*" refers to cases in which the hiring official claims and is able to demonstrate, that the reason for non-selection of a RP-candidate is because such candidate lacks a particular knowledge, skill, or ability to perform successfully the duties of the position when compared to other non-RP candidates referred to management for consideration.
- c. If no selection is made from the candidates in the highest categorical ranking on a selection certificate that does not include RP-candidates, the selecting official must return the selection certificate to the HR representative(s), along with a written explanation/justification for non-selection. If the justification is accepted, another selection certificate may be forwarded to the selecting official from the same or next lower category of eligible candidates, as applicable.


 Brender L. Gregory
 Director

Attachment:

- *Form DC-2000 RP, Residency Preference for Employment (Rev. 3/08)*

GOVERNMENT OF THE DISTRICT OF COLUMBIA

D.C. Department of Human Resources

RESIDENCY PREFERENCE FOR EMPLOYMENT (FORM DC-2000RP)

(Attach to Employment Application)

NOTE: This form is to be filled out and submitted with each application for a position in the Career Service, Legal Service other than the Senior Executive Attorney Service, Excepted Service (attorney positions only), or the Management Supervisory Service. Preference, if applicable, will not be granted unless this form is completed and received at the time of application.

Name: _____ Social Security No.: _____
(Print—Last Name, First Name, Middle Initial)

Position Applied for: _____ Vacancy Announcement No.: _____
(Print)

CHECK ONLY ONE OF THE FOLLOWING STATEMENTS

I.

☐ I, the undersigned, am currently a District government employee whose service began on or before December 31, 1979 and has been continuous since that date. I understand that I will not be required to submit proof of, or establish or maintain, residency as a result of receiving preference.

II.

☐ I, the undersigned, am a former employee of the U.S. Department of Health and Human Services at St. Elizabeths Hospital who accepted employment with the District government, without a break in service, effective October 1, 1987. My service with the District government has been continuous since that date. I understand that I will not be required to submit proof of, or establish or maintain, residency as a result of receiving preference.

III.

☐ I, the undersigned, am not a bona fide District resident and I understand that I am not entitled to the 10-point residency preference.

IV.

☐ I, the undersigned, am a bona fide District resident and I **DECLINE** the residency preference.

V.

☐ I, the undersigned, am a bona fide resident of the District of Columbia and claim a residency preference in applying for the position indicated above. My current address is _____. Also, I have read the "Facts on Residency Preference" on the reverse side of this form and I understand that, if selected for this position, I will be required to submit proof of bona fide District residency and to maintain bona fide District residency for a period of seven (7) consecutive years from the date of appointment or promotion or forfeit the position.

FOR OFFICIAL USE ONLY:

- ☐ 10-Point Preference Applied
☐ 10-Point Preference Not Applied—State Reason:

Personnel Office Representative

Applicant's Signature

Date (Month, Day, Year)

(SEE OVER)